

THE HOFFMAN LAW FIRM

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January 13, 2022

VIA ECF

Hon. Paul G. Gardephe
United States District Court Judge
40 Foley Square, Courtroom 705
New York, NY 10007

Re: *Pindell v. N’Namdi et al.*, 1:20-cv-00818-PGG (S.D.N.Y.)

Request for a Continuation of the Stay of Discovery Pending the Court’s Decision on the Magistrate Judge’s Recommendation

Dear Judge Gardephe,

I represent the Plaintiff, the artist Howardena Pindell in this action *inter alia* for replevin, conversion, and breach of common law and statutory fiduciary duty to Pindell and Pindell’s Works of Art at Issue against the N’Namdi defendants and Defendant Arthur Primas.

As the court is aware, the Plaintiff has settled all claims with the N’Namdi Defendants’ and the action against the N’Namdi Defendants has been dismissed with prejudice (Dkt. 123). The purpose of this letter is to report to the Court the current status of the Plaintiff proceedings against Arthur Primas. The Court granted a stay of discovery (Dkt. 66) pending its decisions on the Defendants’ motions to dismiss the Second Amended Complaint. The N’Namdi Defendants’ and Plaintiff have now settled the case, therefore there is no need for the Judge to decide the Motion to Dismiss (Stipulation and Order for the Dismissal with Prejudice of Claims Against the N’Namdi Defendants; Dkt. 123 filed on December 29, 2021).

The Court now has *subjudice* the Plaintiff’s motion (Objection to [102] Report and Recommendations; Dkt. 107 filed 6.29.2021) in opposition to reject response of Arthur Primas lawyers to the Magistrate’s report and recommendation to court (filed on 7.31.2021 by Nicole Coward, Opposition Brief re: [107] Objection to Report and Recommendations. Dkt.110).

The Counsel for the Plaintiff requests that the Court maintain the Stay currently in place until the Judge’s decision on this pending motion. Defendant Primas does not object to this request.

Thank you in advance for the Court’s consideration.

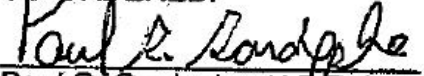
Respectfully submitted,

/s/ Barbara Hoffman
Barbara Hoffman, Esq. (BH 8931)
The Hoffman Law Firm
330 W. 72nd St.

MEMO ENDORSED

The Application is granted.

SO ORDERED:


Paul G. Gardephe, U.S.D.J.

Dated: January 14, 2022

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Hon. Paul G. Gardephe
January 13, 2022

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New York, NY 10023
Attorney for Howardena Pindell

CC: All Counsel of Record via ECF